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BODNER & O'ROURKE, L.L.P.

ATTORNEYS AT LAW
425 Broadhollow Road
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FAX COVER SHEET

TO: U.S. PTO - Ms. Sarah Song
FAX: 571-273-8300
FROM: Thomas A. O'Rourke
DATE: 9/20/05 TIME: 1:30

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 19

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TO: Fax Sender at 6312494508

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FROM BODNER & O'ROURKE, LLP (7/21/05 JUL 21 2005 12:32:05 PM 6334462791 P

BODNER & O'ROURKE, L.L.P.
ATTORNEYS AT LAW
133 BROADHOLLOW ROAD
MADISON, NY 11747
TELEPHONE (845) 267-7800
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FAX COVER SHEET

TO: US-PTO
FAX: 571-273-8300
FROM: Thomas A. O'Rourke
DATE: 7/21/05 TIME: 12:35
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PAGE 011 * MSG AT 02:28 PM Eastern Daylight Time * FAX-PTO-EPHF-021 * INFO-2738300 * CND-6312494508 * DURATION (mm:ss) 04:42

TRANSMISSION REPORT

(THU) JUL 21 2005 12:47
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DEST. NUMBER : 15712738300RECEIVED
CENTRAL FAX CENTERDOCUMENT# : 6334462-462
TIME STORED : JUL 21 12:44
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SEP 20 2005

PAGES : 16 sheets
RESULT : OK

BODNER & O'ROURKE, L.L.P.

ATTORNEYS AT LAW

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SEP 20 2005

RECEIPT BY PTO IS HEREBY ACKNOWLEDGED BY DATE/STAMPING AND RETURNING THIS CARD:

APPLICANT: Georgiano et al

SERIAL NO.: 10/037,525

FILED: October 24, 2001

FOR: Card Rack

ENCLOSURES: Response to Notice of Non-Compliant Amendment, Request for Extension of Time, check to USPTO for \$60.00, Revised Amendment, Abstract, copy of Notice of Non-Compliant Amendment and postcard receipt.

DATE MAILED: June 14, 2005

BODNER & O'ROURKE LLP 425 BROADHOLLOW RD., STE. 108 MELVILLE, NY 11747 (631) 423-2700		1597
DATE: 6/14/05		1-1367/250 420
PAY TO THE ORDER OF: Hon. Commissioner of Patents	\$ 60.00	
Sixty & no/100		DOLLARS
FOR: Litig. - Card Rack		
Shorebank		
COMMERCIAL BANK		
America's Most Convenient Bank® 1-800-YES-2000		
PAGE 4/19 * RCVD AT 9/20/2005 1:28:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-6/33 * DNIS:2738300 * CSID:6312494508 * DURATION (mm-ss):04-02		

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FROM BODNER & O'ROURKE, LLP

SEP 20 2005

(TUE) SEP 20 2005 13:43/ST. 13:40/NO. 6334462791 P 18

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/037,525

Examiner

Sarah Song

Applicant(s)

GEORGIANO ET AL.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 06 April 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☒ 2. Abstract:
 - ☐ A. Not presented on a separate sheet, 37 CFR 1.72.
 - ☒ B. Other See Continuation Sheet.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preoqnotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

FROM BODNER & O'ROURKE, LLP

(TUE) SEP 20 2005 13:44/ST. 13:40/NO. 6334462791 P 19

Continuation Sheet (PTOL-324)

Application No. 10/037,525

Continuation of 1(c) Other: clean version of replacement paragraph must not be submitted in addition to the marked-up version (37 CFR 1.125).

Continuation of 2(b) Other: amended abstract complying with the 150-word limit has not been provided.

A handwritten signature in cursive script, appearing to read "Sarah R. Long".